

**REMARKS**

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-23 are pending in the Application. No claims have been amended or added.

Applicants respectfully acknowledge the indication that claims 15-23 are allowed. Moreover, Applicants respectfully acknowledge the indication that claims 6-11 would be allowable if rewritten into independent form. However, in view of the following remarks, Applicants respectfully submit that all claims should be allowable.

Claims 1-5, 13, and 14 are rejected under 35 U.S.C. §102(b) by Hagen et al., U.S. Patent No. 6,237,765. This rejection is respectfully traversed.

Claim 1 is directed to a container that includes a base, a cover moveably mounted to the base, and a handle including a handle portion and a cover locking mechanism. The handle is moveably mounted to the cover so that the handle is moveable to move the cover locking mechanism thereof into interlocking engagement with the locking element provided on the base to lock the cover in the closed position.

Hagen does not disclose the container as recited in claim 1. As shown in Fig. 1 of Hagen, Hagen discloses a bait bucket that includes an outer container or box 10 and a selectively removable main lid 11. A handle 15 is pivotally connected to the outer container 10 and is moveable between various carrying and non-carrying positions to selectively attach and detach the main lid 11 from the outer container 10. Specifically, the main lid 11 is provided with cam members 60, and the cam members 60 are designed to mate with the cam portions 54 and 55 of the handle 15 to attach the main lid 11 to the outer container 10 (see column 5, lines 12-34).

First, Hagen fails to disclose a handle that is moveably mounted to the cover, as recited in claim 1. In contrast, Hagen discloses a handle 15 connected to the container 10. The lid 11 of Hagen does not include a handle. Moreover, Hagen fails to disclose a handle that is moveable to move the cover locking mechanism thereof into interlocking engagement with the locking element provided on the base to lock the cover in the closed position as recited in claim 1. Rather, Hagen discloses a handle that moves into locking engagement with cam members 60 provided on the main lid 11.

Accordingly, Hagen does not disclose or suggest the container as particularly recited in claim 1. Since anticipation requires each limitation of the claim be satisfied by the prior

art reference, and since Hagen fails to disclose each limitation of the claim, withdrawal of the rejection of claim 1 under Hagen is respectfully requested.

Claims 2-5, 13, and 14 are allowable by virtue of their dependence on claim 1 and additionally allowable for their recitation of additional patentable subject matter.

Claim 12 is rejected under 35 U.S.C. §103(a) over Hagen et al. This rejection is respectfully traversed.

As noted above, Hagen fails to disclose or suggest the container as recited in claim 1. Claim 12 should be allowable by virtue of its dependence on claim 1 and additionally allowable for its recitation of additional patentable subject matter.

All rejections have been addressed. It is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

PILLSBURY WINTHROP LLP



CAROLINE D. DENNISON

Reg. No. 34494

Tel. No. 703. 905.2047

Fax No. 703 905.2500

Date: January 11, 2005  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000